

DELTA PROTECTION COMMISSION

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March 6, 2003

Gwen Knittweis
Department of Water Resources
901 P Street
Sacramento, CA 95814

Subject: Notice of Preparation, North Delta Improvements Project;
SCH # 2003012112

Dear Ms. Knittweis:

I am writing regarding the Notice of Preparation (NOP) for the North Delta Improvements Project, a project included in the CALFED Record of Decision dated August 28, 2000. The project will proceed as described in the 1990 Draft Environmental Impact Report and will provide flood control relief and associated ecosystem restoration in the area above, at, and below the confluence of the Cosumnes and Mokelumne Rivers in Sacramento and San Joaquin Counties. The Commission itself has not had the opportunity to review the NOP, so these are staff comments only. The comments are, however, based on the policies of the Commission's adopted Regional Land Use Plan.

The Commission has been briefed on the project several times and current and past Commissioners and staff have participated in meetings regarding the proposed project since mid 1998. It is quite exciting that the project has progressed to the point of circulating the NOP. The flood control project has long been identified as a critical need in the region and substantial CALFED funds have already been expended on projects within the study area including acquisition of McCormack Williamson Tract and Staten Island.

Role of the Delta Protection Commission in Review of the Proposed Project:

The Commission is the only State agency with regional land use planning responsibilities in the Delta area. The Commission is also a CALFED agency, past participant on the Policy Group and current member of the Management Group of CALFED.

The Commission would like to continue its role as the forum for public discussion and input to CALFED agencies regarding project development in the Delta area. To that end, DWR and the Corps, North Delta Improvements Project sponsors, should continue to brief the Commission, its Committees, and its staff on the proposed North Delta Improvements Project and to present the project at a public meeting of the Commission at

the appropriate time in the project development process for public and Commissioner review and comment.

Need for Current Data for Project Evaluation:

Over the past several years, the Commission and active and interested members of the affected community have passed on to Department of Water Resources (DWR) and CALFED comments regarding the need for thorough and careful modeling to help guide the decision-making process. The modeling process has been underway for some time and DWR will have the required data in hand to analyze various project alternatives. The results of the modeling should be part of a presentation to the Delta Protection Commission.

Impacts to Agriculture:

The proposed study area includes several thousand acres of agricultural land in the Delta Primary Zone. Two islands have been purchased by The Nature Conservancy (TNC) with CALFED grant funds--McCormack Williamson Tract and Staten Island. Both Islands will be evaluated for improved flood conveyance and for enhanced wildlife habitat.

As required in the ROD, the environmental document should evaluate potential loss of agriculture associated with the various alternatives and should site and align features to avoid or minimize effects on agriculture, examine structural and nonstructural alternatives to achieve project goals in order to avoid effects on agricultural land, implement features that are consistent with local and regional land use plans, restore existing degraded habitat as a priority before converting agricultural land, focus habitat restoration efforts on developing new habitat on public lands before converting agricultural land, develop buffers, and implement seepage controls on the project sites (not on adjacent properties in private ownership), and support California Farmland Conservancy Program in acquiring easements on agricultural land to prevent conversion to urbanized uses and increase farm viability.

Recreation:

DWR and CALFED staff have briefed the Commission's Recreation Citizens Advisory Committee (aka Ad Hoc Recreation Committee) on the proposed project. The Committee prepared general and specific comments on recreation opportunities within the study area for analysis as the proposed project is developed. A copy of the January 4, 2000 letter is enclosed.

The NOP states the project will "minimize impacts to recreation use in the NDIP project area". The CALFED ROD states "Incorporate project-level recreation improvements and enhancements." The project should incorporate recreation improvements as well as minimize impacts to recreation in the project area. In addition, the ROD directs that

recreation be managed to minimize or avoid adverse effects on sensitive habitats, wildlife use areas, and special status species.

Wildlife Habitat:

The NOP states the proposed project will recommend ecosystem restoration and science actions in the project area consistent with the CALFED Ecosystem Restoration Program's strategic goals and objectives.

CALFED has funded acquisition of Staten Island with the stated intention of preservation and enhancement of the wildlife habitat values of the Island for migratory waterfowl and bird species, particularly the Sandhill Crane. McCormack Williamson Tract will be evaluated for habitat enhancement potential as part of project development.

The ROD includes a number of mitigation measures that will ensure that restoration of wildlife habitat will not impact nearby and adjacent, existing land uses such as incorporation of buffers and seepage control. The environmental document should identify measures that will be incorporated into the proposed project to meet the mitigation measures in the ROD.

Flood Control and Levees:

The proposed project may include construction of new levees, reconstruction of existing levees, re-direction of flood waters, and other actions that might impact Delta levees.

The ROD includes a number of mitigation measures, listed under Flood Control, which support appropriate levee maintenance, and improvements to levees and slope protection. The proposed project and the environmental document should address the mitigation measures outlined in the ROD.

Thank you for requesting the Commission's comments on the NOP. The Commission and staff look forward to working with DWR and the Corps on the North Delta Improvements Project in the future.

Sincerely,

A handwritten signature in dark ink, appearing to read "Margit Aramburu", with a long horizontal flourish extending to the right.

Margit Aramburu
Executive Director

Cc: Delta Protection Commissioners
Patrick Wright, Executive Officer, CALFED